

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gunter Henning

Appl. No. 10/536,554

Filed: January 9, 2006

For: **Method and Arrangement to Detect
and Measure the Phase of Periodic
Bio-Signals**

Confirmation No. 7477

Art Unit: 3735

Examiner: Patricia C. Mallari

Atty. Docket: 2222.7710001

Reply to Restriction Requirement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **October 22, 2008** (PTO Prosecution File Wrapper Paper No. 20081017), requesting an election of one of two groups of claims representing two groups of embodiments of the invention described in the patent application, Applicant hereby provisionally elects to prosecute the embodiments of **Group II**, represented by **claims 16-27**.

This election is made without prejudice to or disclaimer of the other embodiments disclosed.

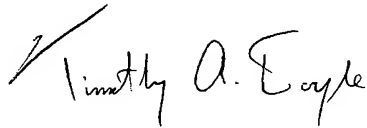
This election is made without traverse.

Reconsideration and withdrawal of the restriction requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, reading "Timothy A. Doyle". The signature is written in a cursive style with a large initial 'T' and 'D'.

Timothy A. Doyle
Attorney for Applicant
Registration No. 51,262

Date: 21 NOV 08

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